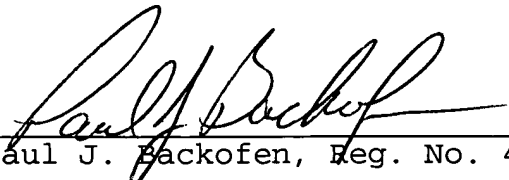


and 9-11. Deflection element refers to material M' (§22, lines 20-23). "Material M' surrounding load points 515 may serve to absorb lateral loading and deform without causing out of plane deflection of rigid structural panel 2'." Applicants traverse the Examiner's objection, material M' is identified as the element to deform or deflect and thus is the deflection element referred to in claims 1, 3, and 9-11 and is not new matter.

Claims 1-11 stand rejected under 35 USC § 112 2¶ as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The examiner correctly identified that material M' controls the ductility of the structural panel and correctly equated material M' to "deflection elements" of claims 1, 3, and 9-11. As discussed above material M' controls the ductility of the structural panel as recited in the specification and the claims. Thus the examiner's rejection is traversed. The specification is clear that opening load points in a structural panel results in material M'. Material M' is identified as the element of the structural panel that controls deflection.

Applicant respectfully requests that the Examiner consider the claims, allow the claims, and pass this case to issue.

Respectfully Submitted,


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